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09 Civ. 1112 (VM)

**ORDER**

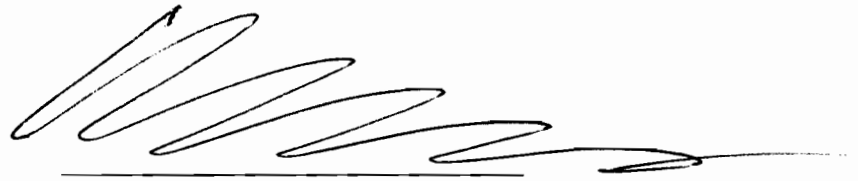
Defendant.

By Order dated February 10, 2009, the Court granted the application of plaintiff Racing Shipping S.A. authorizing a Writ Marine Attachment and Garnishment (the "Order") to be served on defendant herein for a period of 90 days. The Court directed plaintiff to submit to the Court a status report within 90 days of the Order, and warned that in the event within that time no such report or application for renewal of the Order is submitted, or no property of defendant is found within this District, the Court shall dismiss this action. A review of the Docket Sheet for the action indicates no further entry in the public file, correspondence with the Court or any other proceedings since February 10, 2009. Accordingly, it is hereby

**ORDERED** that the Clerk of Court is directed to dismiss the complaint in this action without prejudice for plaintiff's failure to comply with the Court's Order dated February 10, 2009.

**SO ORDERED.**

Dated: New York, New York  
29 June 2009



VICTOR MARRERO  
U.S.D.J.